

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

RONALD WARD,
 Plaintiff,

v.

CITY OF SAN JOSE, et al.,
 Defendants.

No. C 06-5556 MMC (PR)

ORDER OF DISMISSAL

On September 11, 2006, plaintiff, a California prisoner proceeding pro se, filed the above-titled civil rights action. On September 13, 2006, the Court notified plaintiff in writing that the action was deficient due to his failure to pay the requisite filing fee or, instead, submit a completed court-approved in forma pauperis ("IFP") application. Specifically, plaintiff was informed that he had failed to include the required trust account statement showing transactions for the preceding six months and a certificate of funds form signed by an institution official. In said notice, plaintiff was advised that his failure to pay the filing fee or, alternatively, to file a completed IFP application, including the trust account statement and the signed certificate of funds form, within thirty days, would result in dismissal of the action. Along with said notice, plaintiff was sent a copy of the Court's IFP application, instructions for completing it, and a return envelope. To date, plaintiff has neither paid the filing fee nor submitted a completed IFP application.

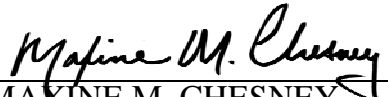
1 As more than thirty days have passed since the deficiency notice and plaintiff has
2 not completed the IFP application or paid the filing fee, the above-titled action is hereby
3 DISMISSED without prejudice.

4 The incomplete application to proceed in forma pauperis is hereby DENIED.

5 The Clerk shall close the file.

6 IT IS SO ORDERED.

7 DATED: January 3, 2007

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9 MAXINE M. CHESNEY
10 United States District Judge
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